

REMARKS

In response to the Office Action dated May 11, 2005, first of all, Applicant affirms the election of invention I with claims 1-20, 24, 25 for further examination has been made without traverse. Invention II with claims 21-23 have been withdrawn. Applicant has further amended claims 1-4, 6-8, 10-14, 16-18 and 20 and cancelled claims 5, 9, 15, 19, 24 and 25. No new matter has been added.

In the Office Action, proper amendments of the specification are required by the Examiner. The Examiner has objected claims 24-25 as being in improper form and claims 1-20 with various informalities. Also the Examiner has rejected claims 1-20 under USC 112 as being indefinite.

In response, Applicant has carefully examined and amended the specification and the claims to assure their compliance with all official provisions and statutory requirements. It is believed that these objections and rejections have been overcome and accordingly should be withdrawn.

With respect to the provisional obviousness-type double patenting rejection, a terminal disclaimer is submitted herewith.

Furthermore, the Examiner has rejected claims 1, 7, 11, 17 under USC 103(a) as being unpatentable over Sato (US 4,924,243) in view of Hashimoto (US 6,583,848), and claims 4-6, 8-10, 14-16, 18-20 and claims 2, 3, 12, 13 further in view of Love (US 4,729,310) and Kitamura et al. (US 2002/0176046), respectively. For at least the following reasons, it is respectfully submitted that all the pending claims are patentably distinguishable over the cited references.

Sato does not teach forming only single spacer particle with resin into each hole on

RESPONSE

10/689,683

- 9 -

how to achieve the hole and the channel formed with the single particle and the single layer particles, respectively.

As such, one skilled in the art would have had no motivation to combine Sato with Hashimoto to obtain Applicant's claimed invention. It is requested that independent claims 1 and 11 should be allowed. Moreover, claims 2-4, 6, 8, 10 dependent on patentable claim 1 and claims 12-14, 16, 17, 18 and 20 dependent on patentable claim 11 are believed patentable and distinguishable over the cited references further by the following reasons.

As for claims 4 and 14, Love does not disclose a hydrophobic, non-adhesive layer with a thickness greater than twice of a diameter of the spacer particle.

As for claims 6, 8, 10 and 16, 18, 10, Love does not disclose the respective limitations.

Furthermore, as for claims 2, 3, 12, 13, the Examiner asserts the additional organics